



ITW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Applicant: Wayne Parrott et al.

Examiner: Mehta, Ashwin D.

Serial No.: 10/802,208

Art Unit: 1638

Filed: 3/8/2001

Confirmation No. 6703

For: ARABITOL OR RIBITOL AS  
POSITIVE SELECTABLE MARKERS

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

MAIL STOP ISSUE FEE

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR  
1.181 (NO FEE REQUIRED)**

Sir:

Applicants request that the Notice of Abandonment mailed 1/20/2005 (copy enclosed) be withdrawn. Applicants filed a timely response to the Notice Regarding Drawings dated October 15, 2004. A copy of applicants' response and a copy of our date-stamped return receipt postcard is enclosed. Please withdraw the Notice of Abandonment and provide applicants with their patent number and issue date.

Respectfully submitted

Timothy H. Van Dyke  
Reg. No. 43,218  
Beusse, Brownlee, Wolter Mora & Maire, P.A.  
390 N. Orange Avenue, Suite 2500  
Orlando, FL 32801  
(407) 926-7726

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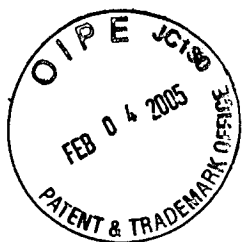
**CERTIFICATE OF MAILING**

I hereby certify that this PETITION TO WITHDRAW NOTICE OF ABANDONMENT UNDER 37 CFR 1.181 (NO FEE RQUIRED) paper is being deposited with the United States Postal Service with first-class postage affixed thereto on the date indicated below and is addressed to: Mail Stop Issue Fee, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Alicia Hoffman  
Name of person mailing paper

*Alicia Hoffman*  
Signature

2/1/05  
Date



Please acknowledge receipt of our RESPONSE TO  
NOTICE REGARDING DRAWINGS, attached copy of  
the notice dated 10/15/2004, and the attached 2 sheets  
of corrected drawings in re application of:

Wayne Parrott et al.

Serial No. 10/802,208

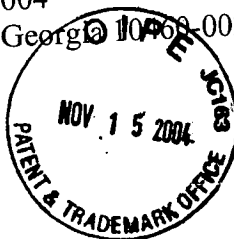
Filed: 3/8/2001

For: Arabitol or Ribitol as Positive Selectable Markers

Due: 12/25/2005

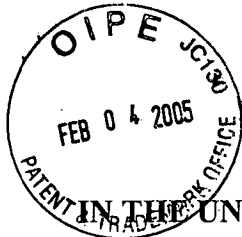
Mailed: 11/4/2004

TVD Univ. of Georgia 10/802-002



11-15-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #11



UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Allowed Feb. 27, 2004

Applicant: Wayne Parrott et al.

Examiner: Mehta, Ashwin D.

Serial No.: 10/802,208

Art Unit: 1638

Filed: 3/8/2001

Confirmation No. 6703

For: ARABITOL OR RIBITOL AS  
POSITIVE SELECTABLE MARKERS

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

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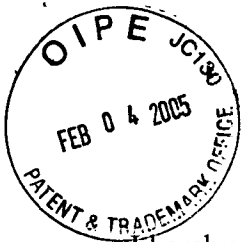
**RESPONSE TO NOTICE REGARDING DRAWINGS**

Sir:

In response to the Notice Regarding Drawings mailed October 15, 2004, (copy attached) in the application identified above, enclosed are corrected drawings. These substitute drawings correct the informalities noted in PTO Form 948. No new matter has been added.

Respectfully submitted

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(407) 926-7726



### CERTIFICATE OF MAILING

I hereby certify that this Response To Notice Regarding Drawings is being deposited with the United States Postal Service with first-class postage affixed thereto on the date indicated below and is addressed to: Commissioner for Patents, Mail Stop Issue Fee, P. O. Box 1450, Alexandria, VA 22313-1450.

Alicia Hoffman

Name of person mailing paper

*Alicia Hoffman*

Signature

11-4-04

Date

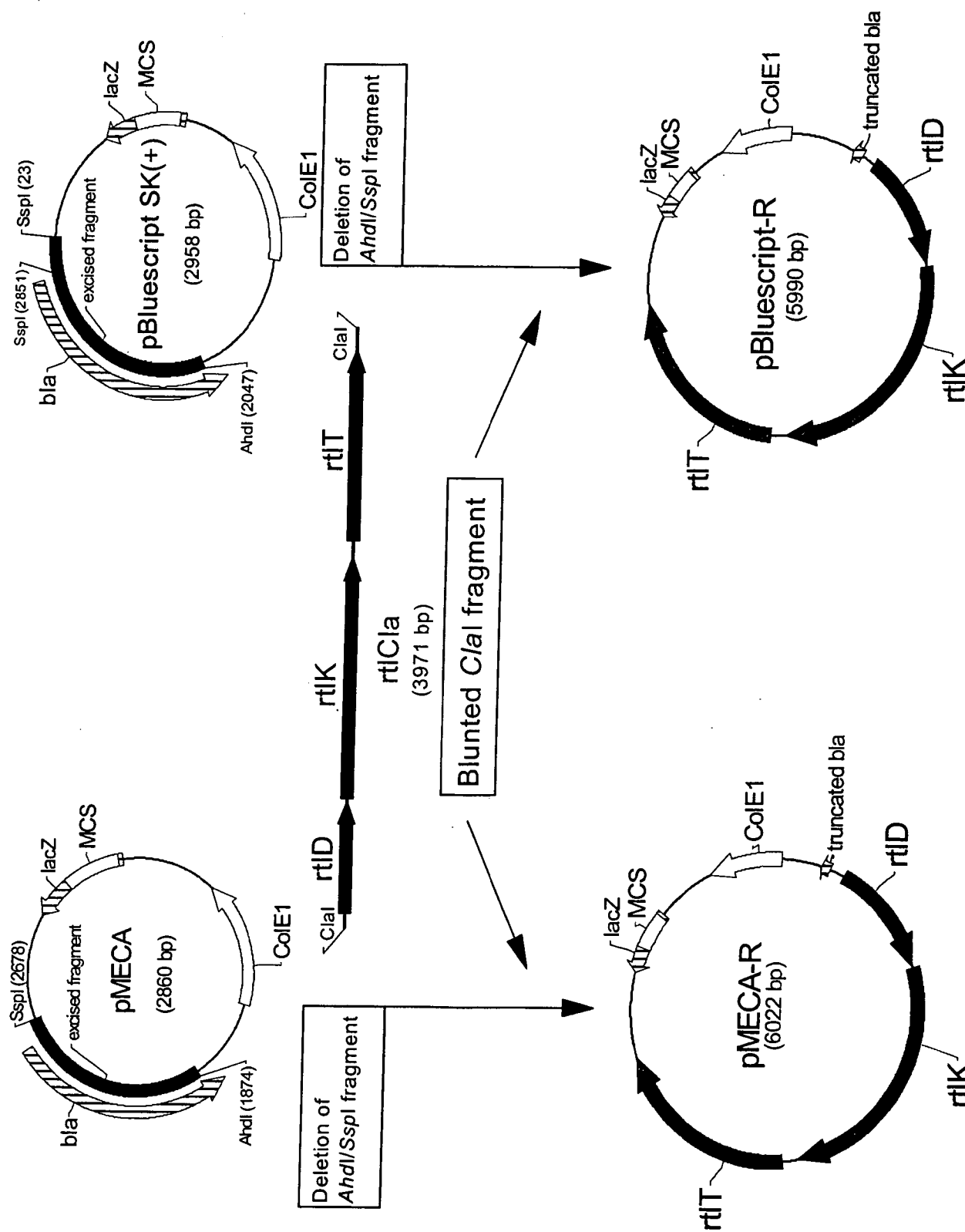
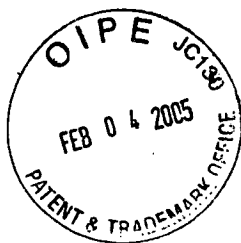
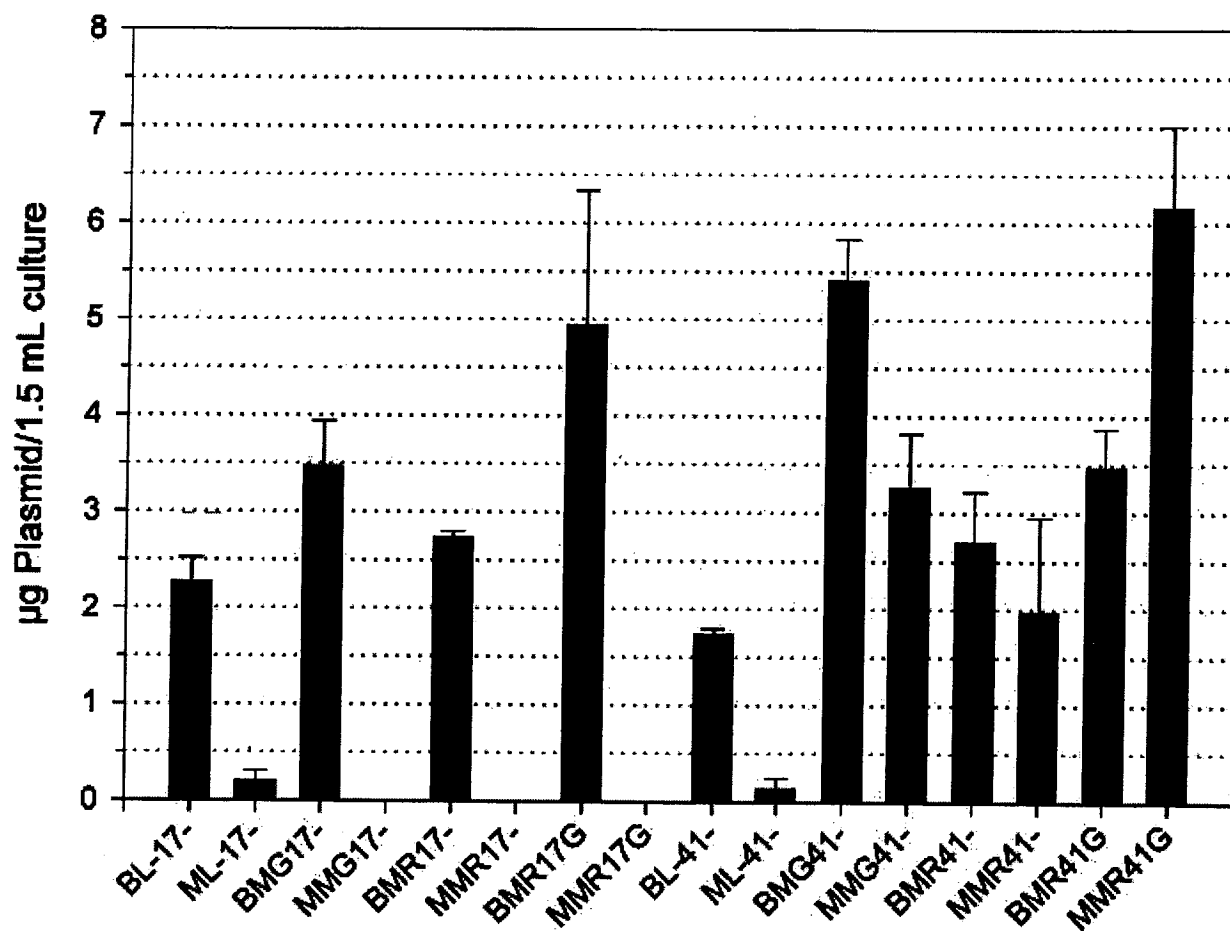


Figure 1

**Figure 2.** Comparative plasmid yields in DH10B of pBluescript and pMECA, growing in LB broth or 2B minimal medium supplemented with glucose, and of their ribitol derivatives growing on 2B minimal medium with ribitol. Plasmid yield data were collected at 17 and 41 hours. Plasmid yields for pBluescript-R and pMECA-R with a GUS construct cloned into their multiple cloning sites were also compared. Bars represent the average of three replications  $\pm$  standard error.



**Legend:** The first letter signifies the plasmid backbone: B = pBluescript, M = pMECA. The second letter indicates the medium: L = Luria-Bertani broth, M = 2B minimal medium. The third position denotes the carbohydrate source: a '-' means no additional carbohydrate, G = glucose, and R = ribitol. The number is for the amount of growth time: 17 or 41 hours. The final position denotes if the plasmid had an insert cloned into its multiple cloning site: a '-' means no insert, and G refers to a GUS construct.



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UNITED STATES DEPARTMENT OF COMMERCE  
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BEUSSE BROWNLEE WOLTER  
MORA & MAIRE, P.A.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,208	03/08/2001	Wayne Parrott	UGA-855R	6703

29847 7590 01/20/2005

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EXAMINER

MEHTA, ASHWIND

ART UNIT PAPER NUMBER

1638

DATE MAILED: 01/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.





UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/802,208

EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:

### NOTICE OF ABANDONMENT

This application is abandoned in view of:

☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 10/15/4

☐ A reply (with Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_ which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.

☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).

☐ A reply was received on \_\_\_\_\_, but it does not constitute a proper reply, or a *bona fide* attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in the last box below).

☒ No reply has been received.

☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).

☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85)(or Notice of Publication Fee Due).

☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required, by 37 CFR 1.18(d) is \$\_\_\_\_\_.

☐ The issue fee and publication fee, if applicable, have not been received.

☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTOL-37).

☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.

☐ No corrected drawings have been received.

☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all the applicants.

☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon filing of a continuing application.

☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.

☐ The reason(s) below: \_\_\_\_\_

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

LD